

REMARKS

Claims 1-5, 7-39, 46 and 47 are pending. Applicants respectfully request reconsideration and reexamination of the application.

Claim Rejections - 35 USC § 102(e):

Claims 1-39, 46 and 47 were rejected under 35 U.S.C. § 102(3) as being anticipated by U.S. Patent No. 7,124,195 to Roach et al. [herein referred to as "Roach"].

Applicants respectfully submit that Roach is does not anticipate any of the rejected claims because Roach does not qualify as prior art under 35 USC § 102(e). Roach does not qualify as prior art because this application has perfected a foreign priority date and a PCT filing date that each antedate the filing date of Roach (MPEP 706.02(b)). Moreover, the foreign and PCT priority documents support the claims pending in this application. MPEP 2136.05; In re Gosteli, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989).

Applicants respectfully submit that they have perfected their claim to priority by filing a certified priority document in the application. MPEP 706.02(b); MPEP 201.13; 201.13b. This application has a PCT filing date of January 21, 2001 and claims priority based on a foreign application

filed January 11, 2000. The PCT application was published as WO 01/52483 A1 on July 19, 2001. A copy of the PCT application was filed with the USPTO on September 11, 2001 and a certified copy of the foreign priority application was filed with the USPTO on February 5, 2002. Both January 11, 2000 and July 19, 2001 antedate the October 17, 2001 filing date of Roach.

Applicants respectfully submit that the foreign priority documents support the claims pending in this application.

Applicants therefore respectfully request that the Examiner withdraw all of the rejections based on Roach and allow all of the pending claims.

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Accordingly, Applicants respectfully submit that Claims 1-5, 7-39, 46 and 47 are in proper form for allowance. Reconsideration and withdrawal of the rejections are respectfully requested and a timely Notice of Allowance is solicited. If there are any questions regarding any aspect of the application, please call the undersigned at (949) 752-7040.

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Respectfully submitted,



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